

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors:	Schmeyer et al.	)	Examiner:	Dega, Murali K.
		)		
Serial No.:	10/788,495	)	Art Unit:	3622
		)		
Filing Date:	February 27, 2004	)	Conf. No.:	7434
		)		
Title:	System And Method For Providing Consumer Rewards	)	Attorney Ref.:	15328.01US3
		)		

**RENEWED PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION UNDER 37 C.F.R. §1.137(b)**

Commissioner for Patents  
Mail Stop PETITION  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a Renewed Petition to Revive Unintentionally Abandoned Application under 37 C.F.R. 1.137(b) in response to the Decision on Petition mailed August 28, 2008. The original period of response to the Decision had a shortened statutory period of two (2) months from the mailing date. Accordingly, the original time period for response was October 28, 2008. Since this Renewed Petition is being submitted within three-months from August 28, 2008, Applicants request a three-month (3) extension of time to file this Renewed Petition and authorizes the Office to charge any required fees for proper consideration of this Renewed Petition to Deposit Account No. 502,261, large entity.

**Certificate of Electronic Transmission Under 37 CFR §1.8:** I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office using the EFS-Web System on January 26, 2009.

/Marianne Hall/

Applicants previously submitted a Petition to Revive Unintentionally Abandoned Application and Rescission of Nonpublication Request under 35 U.S.C. §122(b)(2)(B)(ii) and Notice of Foreign Filing under 35 U.S.C. §122(b)(2)(B)(iii) on April 21, 2008 (copy attached) but inadvertently did not include the filing date of the Canadian application which was filed claiming priority to this application.

In the Decision on Petition mailed August 28, 2008, it was requested that Applicant's provide the filing date of the foreign application that claimed priority to the subject application. Accordingly, the Canadian application claiming priority to this application was filed on February 25, 2005.

Applicants hereby requests revival of the above-captioned application, currently regarded as abandoned, for unintentionally failing to rescind a previously filed Request for Nonpublication within the time permitted under 35 U.S.C. §122(b)(2)(B)(iii).

The Petitions Attorney is invited to contact the undersigned if she believes a telephone conference would expedite the granting of this Renewed Petition.

Respectfully submitted,

Dated: January 26, 2009 By: /Michael A. Carrillo/  
Michael A. Carrillo, Reg. No. 44,595  
Neal Gerber & Eisenberg, LLP  
Two North LaSalle Street, Suite 2200  
Chicago, Illinois 60602-3801  
312.269.8000

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**PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION UNDER 37 C.F.R. §1.137(b)**

Commissioner for Patents  
Mail Stop PETITION  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests revival of the above-captioned application, currently regarded as abandoned, for unintentionally failing to rescind a previously filed Request for Nonpublication within the time permitted under 35 U.S.C. §122(b)(2)(B)(iii). Applicant, on its own accord, just recently discovered the error during a status review of its file on this matter.

Applicant submitted a Nonpublication Request under 35 U.S.C. §122(b)(2)(B)(i) concurrently with the filing of the above-captioned application, but subsequently filed applications in Canada and Europe, having priority to this application, without also filing a Rescission of Previous Nonpublication Request and Notice of Foreign Filing within the time permitted under 35 U.S.C. §122(b)(2)(B)(iii), causing the subject application to be regarded as abandoned under 35 U.S.C. §122(b)(2)(B)(iii).

**Certificate of Electronic Transmission Under 37 CFR §1.8:** I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office using the EFS-Web System on April 12, 2008.

By: /Elizabeth A. Kostiuk /

Applicant submits herewith a Rescission of Previous Nonpublication Request and Notice of Foreign Filing and states that the entire delay in filing this paper from the due date for this paper until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional. Applicant respectfully requests revival of the subject application to permit continued prosecution of this application.

Applicant authorizes the Office to charge the large entity Petition Fee for revival of the application, and any fee deficiencies, or credit any overpayments, to Deposit Account No. 502261.

Respectfully submitted,

Date: 4/21/08

By: Michael A. Carrillo

Michael A. Carrillo, Reg. No. 44,595  
Neal, Gerber & Eisenberg, LLP  
Two North LaSalle Street  
Chicago, Illinois 60602  
(312) 269-8000

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**RESCISSON OF PREVIOUS NONPUBLICATION REQUEST**  
 (35 U.S.C. 122(b)(2)(B)(ii))  
 AND, IF APPLICABLE,  
**NOTICE OF FOREIGN FILING**  
 (35 U.S.C. 122(b)(2)(B)(iii))

Send completed form to:

Mail Stop PG Pub  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX: (571) 273-8300

Application Number	10/788,495
Filing Date	February 27, 2004
First Named Inventor	Frank F. Schmeyer
Title	System And Method For Providing Consumer Rewards
Atty Docket Number	15328.01US3
Art Unit	3622
Examiner	DEGA, MURALI K

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i).  
 I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is **ABANDONED**, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

*Michael A. Carrillo*

Signature

*4/21/08*

Date

Michael A. Carrillo

44,595

Typed or printed name

Registration Number, if applicable

312-269-8000

Telephone Number

**This request must be signed in compliance with 37 CFR 1.33(b).**

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703)605-4283 or by e-mail at PGPub@USPTO.gov.

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature

*Elizabeth A. Kostuk*

Name (Print/Type)

Date

*April 21, 2008*

This collection of information is required by 37 CFR 1.213(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*